



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov  
DW 07-02

#5

Paper No. 5

LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON MA 02109

**COPY MAILED**

**JUL 15 2002**

**OFFICE OF PETITIONS**

In re Application of :  
O'Hara et al. : DECISION GRANTING  
Application No. 10/076,934 : PETITION  
Filed: 15 February, 2002 :  
Attorney Docket No. GNN-028 :

This is a decision on the petition under 37 CFR 1.10(c) filed on 19 June, 2002, requesting that the above-identified application be accorded a filing date of 15 February, 2002, rather than the presently accorded filing date of 19 February, 2002.

Petitioner alleges that the application was deposited in Express Mail service on 15 February, 2002. In support, on 19 June, 2002, petitioner supplied a copy of Express Mail Label No. EL939865930US (the same Express Mail number found on the provisional application cover sheet accompanying the original application papers located in the official file). Although the "date-in" on the Express Mail label is not legible, the Express Mail label also contains a USPS postmark dated 15 February, 2002.

In view of the above, the petition is granted. No petition fee is required and none has been charged.

The application is being returned to the Office of Initial Patent Examination (OIPE) for correction of the filing date to 15 February, 2002, and for issuance of a corrected Filing Receipt.

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6918.

*D Wood*

Douglas I. Wood  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

*Date has  
been  
corrected*